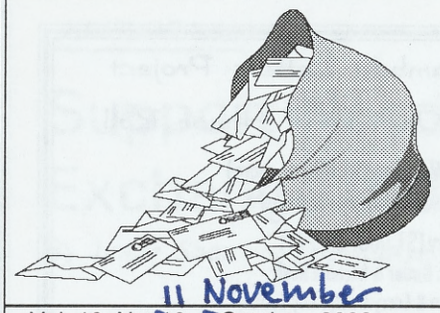

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Lambda Letters Project

32647

Vol. 10, No. 10 ~~October~~ 11 November, 2002 www.lambdaletters.org LambdaLP@aol.com (916) 728-1261

2002: A Good Year

This has been a wonderful year. We lost on some important bills but we won on some good ones too. You all sent over 200,000 letters and e-mails to elected officials. By our joint efforts we are becoming a major force for good in California. The many volunteers at Lambda Letters Project have labored hard during the year. Now we are giving them some time off. So this is the last regular mailing you will receive from us in 2002. The next mailing begins in January. In the meantime, we wish you well and hope you enjoy the holidays. ###

Annual Meeting Soon

Lambda Letters' annual meeting is soon approaching, and you are cordially invited. It occurs on Saturday, January 25, 2003, at 9:30 am. Until now we have always met in Sacramento. To make it easier for our Southern California members to attend, we will hold the meeting at the Uptown Faith Community Service Center, 2214 Fifth Ave. (@ Ivy St.) in San Diego. We must have a quorum of one-third the membership (in person or by proxy) to conduct business. If you are unable to attend, please return the enclosed proxy right away. If you are unsure, return the proxy anyway; you can always revoke your proxy and vote in person at the meeting. ###

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New Laws in 2003

By Boyce Hinman, Chief Lobbyist

Several bills passed in 2002 give new rights to lesbians, gays, bisexuals, transgenders, and intersexed people. Except where stated otherwise, these rights will become effective on January 1, 2003. Here is a summary of them.

AB 2216 (Fred Keeley, D–Santa Cruz) adds domestic partners to California's Law of Intestate Succession. This law lists who gets the property of a deceased person, and in what order if the person dies without writing a will. Spouses are highest on the list, followed by children, parents, etc., in descending order of priority. Under AB 2216, domestic partner is placed at the highest priority on the list, at the same level as spouse.

This means that if someone dies without a will, a surviving registered domestic partner would get at least one-third—or maybe all—of the deceased's property. If other relatives listed in the law of intestate succession are living, they get part of the property. The decision about who gets what property is decided by a probate court. The surviving domestic partner would be asked to provide evidence that he or she was the registered domestic partner of the deceased. Upon submission of that proof, the court would award all—or at least one-third—of the property to the domestic partner.

Continued on page 10

Lambda Letters Progress Report

Letters & Messages Collected

September, 2002	3,117 letters & e-mails
In all of 2002	203,818 letters & e-mails

Dollars Spent

September, 2002	$4,062
In all of 2002	$37,144

Can You Help?

Please support the very important work of the Lambda Letters Project with your contributions.

Lambda Letters Project

Mission Statement

To promote people of color, feminist, lesbian, gay, bisexual, transgender, and HIV/AIDS status advocacy, and to bring people of color, women, lesbians, gays, bisexuals, transgendered and intersex persons, and persons affected by or living with HIV/AIDS into full participation in American society.

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Discrimination Complaints

Have you experienced employment discrimination because of your actual or perceived sexual orientation or because of your age (40 and over), ancestry, color, creed, disability, marital status, medical condition, national origin, race, religion, or sex? Have you been denied family and medical care leave or pregnancy disability leave?
If so, you may register a complaint with the Department of Fair Employment and Housing. In cases of employment discrimination, call the department at (800) 884-1684. In cases of housing discrimination, call (800) 233-3212.
The person answering the phone will schedule an appointment for you at the Department of Fair Employment and Housing Office which is closest to your home or place of employment.

Advertising Rates (per Issue)

Business-card sized ads (3½"×2") $10, quarter-page ads $30, third-page ads $33, half-page ads $45, full-page ads $75, full back-page ad $100. Deadline for payment and camera-ready copy, along with your name and phone number, is the 25th of each month.

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HIV/AIDS Issue

Support Needle-Exchange Programs

By Jamie Shauvin, Legislative Analyst

This month we ask you to write Senator John Vasconcellos (D–San Jose) thanking him for introducing two sterile-needle exchange programs, SB 1734 and SB 1785. Unfortunately, Governor Davis vetoed both bills. However, there's always next year and your support in the form of a letter to Senator John Vasconcellos urging him to try again by introducing new bills on the same subject is requested.

Why needle-exchange programs? Quite simply, they are proven to help lower the spread of HIV. According to Peter Lurie and Pamela DeCarlo with the University of California, San Francisco, needle-exchange programs (NEPs) that distribute clean, sterile needles and safely dispose of used needles for injection drug users (IDUs), lead to lower levels of HIV infection among IDUs and do not appear to lead to increased drug use among IDUs or in the general community.

According to Lurie and DeCarlo, more than a million people living in the U.S. use intravenous drugs. The cost to our society in the form of health care, losses in productivity, accidents, and crime is more than $50 billion annually. IDUs who contract HIV or hepatitis put their needle-sharing partners, sexual partners, and offspring at risk. Lurie and DeCarlo estimate that half of all new HIV infections in the U.S. occur among IDUs. For women, 61 percent of all AIDS cases are due to injection drug use or sex with partners who are IDUs. Injection drug use is the source of infection for more than half of all children born with HIV, according to the UCSF Center for AIDS Prevention Studies.

Needle-exchange programs not only distribute clean needles and safely dispose of used ones for IDUs, but they also generally offer a variety of related services, including referrals to drug treatment and HIV counseling and testing, according to UCSF.

Please write Senator Vasconcellos and thank him for introducing SB 1734 and SB 1785. Urge him to try again next year by introducing new bills supporting needle-exchange programs.

###

Lesbian/Gay/Bisexual/Transgender Issue

Support Tenure for Pat Washington

By Boyce Hinman, Chief Lobbyist

Pat Washington, Ph.D., has been denied tenure by San Diego State University (SDSU), where she currently teaches women's studies classes. Unless she is granted tenure by the university she will be terminated in spring 2003.

Prof. Washington is black and lesbian, and she teaches what some may still consider a controversial subject. The reason for the university's failure to grant tenure may be all of the above. We urge you to write to the person on the enclosed sample letter urging that she be granted tenure.

Here are the details. Prof. Washington is the only black full-time faculty member hired in the 30-year history of SDSU's Women's Studies Department, and the only black, openly lesbian professor currently teaching at the university. She is a stellar teacher, scholar, and community activist. She has won six of the university's top teaching awards and published more than twice the number of scholarly articles required by her department for tenure.

She has also won dozens of awards for student mentoring and community service, including a mayoral proclamation and a US. Congressional Community Service Award. Although her professional record matched—and often exceeded—that of a white, presumably straight colleague tenured in women's studies the previous year, SDSU has denied Washington tenure and told her that she will be terminated in May 2003.

The San Diego Branch of the NAACP has questioned the circumstances surrounding her denial of tenure and publicly expressed "lack of confidence in the ability of the president and provost of SDSU to provide bold, fair, and just leadership in the hiring, evaluation, and treatment of African-American faculty." The Academic Discrimination Advisory Board of the National Women's Studies Association and the Lambda Letters Project have also gone on record in support of Prof. Washington, as have scholars and activists throughout the country, as well as local students and community social justice advocates.

Continued on page 11

People of Color Issue

Protect Native Americans' Financial Rights

By Boyce Hinman, Chief Lobbyist

Recently U.S. District Court Judge Royce Lamberth held Secretary of the Interior Gale Norton in contempt of court. She is only the third cabinet-level official to be held in contempt in modern United States history. The other two were members of the Clinton cabinet. They were all held in contempt for the same reason and in the same case. Judge Lamberth found that they had failed to provide documents demanded by the court and failed to take steps ordered by the court.

The case stems from a class-action suit by Native Americans demanding an accounting of perhaps billions of dollars in royalties from American Indian lands held in trust by the U.S. Bureau of Indian affairs. The trusteeship of these royalties began with a treaty signed in 1887, when the U.S. took 90 million acres from Indian tribes. The Interior Department then took charge of managing grazing, timber, and oil and gas drilling on those lands. In return for the lands the government agreed to pay royalties for these uses of the lands.

According to court records and other sources, for over a century money meant for America's Indians has been lost, stolen, or never collected in the first place. Nobody knows just how much money is involved because the Interior Department has done such a poor job of keeping the books on these accounts.

Three years ago Judge Lamberth ordered the department to do a thorough accounting of the trust that manages the royalties due to the Indians. His decision in September stated that the department has failed even to begin the accounting process.

American Indians are among the poorest members of our nation. If the trust created for their benefit had been run as it should have been, things might be different for Native Americans. We need to demand that our government comply with the judge's order and do an accurate accounting of the trust. Once that is accomplished, the funds due to Native Americans should be disbursed to them promptly. Please write to Secretary of the Interior Gale Norton and demand that she do just that. ###

Women's Issue

Curb the Breast Cancer Movement's Corporate Sector

By Adrienne Lauby

Compared to AIDS, the breast cancer epidemic is an easy sell; it's not connected in people's minds with drug addiction or homosexuality. That's good news. The bad news is the word "sell." In 1996, according to the *New York Times Magazine*, breast cancer became "this year's hot charity" and, ever since, major companies have lined up for the chance to join the fight—and for the opportunity to hand over a check under the flashing bulbs of a heartwarming photo op.

Corporate giving comes in lump-sum gifts, merchandise, event sponsorships, and employee-matching gifts. It's called cause-related marketing. Note the word "marketing." Proceeds from these ventures, the gift to cancer research or a related project, are essentially treated as a business expense.

As breast cancer affects a widening circle of women, many caring and strong individuals have joined the fight. However, without the prejudice that united gay men into a strong political movement, the breast cancer movement can be seduced by co-opting activities.

Big businesses like to support large, risk-free, popular, pleasant-to-portray causes. The issue of breast cancer can be all that, and more. Here's the bonus: women with yearly incomes between $30,000 and $50,000. Women with disposable incomes respond well to cause-related marketing, and many of these women also feel threatened by breast cancer.

Two years ago a coalition of breast cancer groups launched a campaign to raise public awareness about the issues involved in corporate funding of breast cancer charities. They chose Avon's highly popular Three-Day Walk for Breast Cancer and demanded three improvements from Avon: to underwrite the costs of the walks, to establish community advisory boards in areas where walks are held, and to grant funding to cutting-edge research into the causes and prevention of breast cancer.

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November Legislative Update

The California state legislature closed its session for this year on August 31. Any bills not passed and sent to Governor Davis by that date died. The governor had until September 30 to sign or veto the bills sent to him. The following is a review of the status of bills being tracked by Lambda Letters. This list shows the outcome of all the bills including the action taken by the governor on the bills that were sent to his desk.

HIV/AIDS Issues

AB 2064 (Gil Cedillo, D–Los Angeles)
Purpose: To require the State Department of Health Services to authorize the establishment of training programs for counselors for publicly funded HIV testing programs by specified community-based, nonprofit organizations. The bill would require the department to establish uniform curriculum content and design for these training programs. Would require the participating community-based organizations to follow departmental curriculum guidelines for these training programs. Costs associated with training programs administered pursuant to the bill would be absorbed by participating community-based organizations.
Status: Signed by the governor.
LLP Position: Support, with some concern about the cost to community-based groups.

AB 2197 (Paul Koretz, D–West Hollywood)
Purpose: To modify the Medi-Cal health insurance rules to provide coverage for people who are HIV-positive and who qualify for Medi-Cal, except that they are not disabled.
Status: Signed by the governor.
LLP Position: Support.

AB 2905 (Roderick Wright, D–Los Angeles)
Purpose: To require HIV testing be offered to all inmates in California state prisons, subject to an inmate's right of refusal.
Status: Vetoed by governor.
LLP Position: Support.

SB 187 (John Vasconcellos, D–Santa Clara)
Purpose: To require the State Department of Health to establish and maintain a voluntary program for the issuance of registry identification cards to qualified medical marijuana patients, and to establish procedures under which a patient with the card could use marijuana for medical purposes. *Note:* A recent U.S. Supreme Court decision stated that, in spite of Proposition 215, a person may be prosecuted under federal law for possession of marijuana. The court said medical necessity does not justify possession. So signing up for a marijuana registry card may be signing a confession to violation of federal law.
Status: Failed to pass.
LLP Position: Oppose.

SB 599 (Wesley Chesbro, D–Santa Rosa)
Purpose: To require health plans to cover medically necessary substance-related disorders in the same way that plans cover any other medical condition. The only limit that may be placed on the coverage is a 60-day annual limit on non-hospital residential care. The bill would also require health plans to offer coverage for the treatment of alcoholism.
Status: Failed to pass.
LLP Position: Support.

SB 1315 (Byron Sher, D–Redwood City)
Purpose: To reduce prescription drug costs by establishing a multi-agency prescription drug buying pool in state and county governments and for school districts. By buying in bulk, the central purchaser may be able to lower the per-unit cost of the drugs. The central purchaser could buy drugs for other state or county government agencies.
Status: Approved by both Democrats and Republicans on the Assembly Appropriations Committee. Signed by the governor.
LLP Position: Support.

SB 1680 (Richard Polanco, D–Los Angeles)
Purpose: Changed to a bill to raise the age limit for minors to buy cigarettes.
Status: Failed to pass.
LLP Position: Neutral. No longer relevant to us.

SB 1734 (John Vasconcellos, D–San Jose)
Purpose: Current law protects public entities, their

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Legislative Update

Continued from page 5

agents, or employees from prosecution for distribution of hypodermic needles or syringes to participants in clean needle and syringe exchange projects authorized by the public entity pursuant to a declaration of a local emergency due to the existence of a critical local public health crisis. This bill would also protect them from prosecution for distributing materials to sanitize drug paraphernalia distributed to participants in clean needle and syringe exchange projects. The county in which the program exists would have to annually declare a health state of emergency.
Status: Vetoed by governor.
LLP Position: Support.

SB 1785 (John Vasconcellos, D–San Jose)
Purpose: To remove the requirement that people have a prescription to buy a hypodermic needle and syringe. Also would eliminate the requirement that a pharmacist keep records of who buys them. The bill would allow a person to posses up to 30 hypodermic needles and syringes if purchased through an authorized source.
Status: Vetoed by governor.
LLP Position: Support.

SB 1796 (Richard Polanco D-Los Angeles)
Purpose: To place limits on the extent of punishment of people who participate in peaceful demonstrations.
Status: Vetoed by governor.
LLP Position: Support.

Lesbian/Gay/Bisexual/Transgender/ Intersex Issues

AB 1080 (Christine Kehoe D–San Diego)
Purpose: To prohibit a state agency from entering into a contract for the acquisition of goods or services with a vendor or contractor who does not offer benefits to registered domestic partner employees equal to benefits offered to married employees.
Status: Failed to pass.
LLP Position: Support.

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AB 1649 (Jackie Goldberg, D–Los Angeles)
Purpose: To amend California's Fair Employment and Housing Act to ban employment and housing discrimination against transgendered people.
Status: The bill was dropped by the author at the request of the governor. He promised Goldberg that he'd fulfill most of the bill's purpose through new procedures at the Department of Fair Employment and Housing. So far, he seems to be keeping his promise.
LLP Position: Support. We are cosponsors of the bill.

AB 1908 (Rebecca Cohn, D–Campbell)
Purpose: To allow employer-paid, long-term care insurance to state employees and retirees enrolled in the public employee retirement system and to employees and retirees of the legislature, the court systems, school districts, and some local governments in California. Would also allow this employer-paid insurance for their siblings, spouses, parents, and spouses' parents.
Status: Signed by the governor.
LLP Position: Support if domestic partners and the parents of domestic partners are added to the bill. The author, thus far, refuses to add domestic partners.

AB 1942 (Judy Chu, D–Monterey Park)
Purpose: To allow establishment of a pilot anti-bias training program in any county in which hate crimes exceed the statewide average of hate crimes. The project would focus on minors in custody or on probation, probation officers, correction officers, teachers, youth service providers, social workers, parents, and community members. The goal of the program would be to reduce hate crimes.
Status: Vetoed by governor.
LLP Position: Support.

AB 2216 (Fred Keeley, D–Santa Cruz)
Purpose: Under the existing law of intestate succession, the surviving spouse is entitled to a specified share of the decedent's separate property that is not effectively disposed of by will. This bill would extend this entitlement to a decedent's domestic partner.
Status: Signed by the governor.
LLP Position: Support.

AB 2484 (Hannah-Beth Jackson, D–Santa Barbara)
Purpose: To prevent and reduce school violence by requiring school districts to provide instruction and materials on the prevention of school terrorism through recognition and reporting prior to the occurrence of the violence.
Status: Signed by the governor.
LLP Position: Support.

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Board Members Needed

The Lambda Letters Project is looking for people with good communications skills, and a commitment to social justice, to serve on its Board of Directors.

You can guide the public policy direction of Lambda Letters.

You can help secure the financial stability of the Project.

If you care about these things, please contact our Board Chair to discuss serving on Lambda Letter's Board of Directors.

Contact

Lori Norman, Chair
The Lambda Letters Project
14707 Titus Street, #37
Panorama City, CA 91402

(818) 785-1563

bettyboop_1930@hotmail.com

AB 2651 (Judy Chu, D–Monterey Park)
Purpose: To establish goals to protect, gay lesbian, bisexual and transgender foster children and foster parents and caregivers. States it is the goal of this state that foster parents, including, but not limited to, gay, lesbian, bisexual, and transgender adults, shall be identified who are interested in caring for gay, lesbian, or transgendered youth in foster care.
Status: Vetoed by governor.
LLP Position: Support.

AB 2777 (Joe Nation, D–San Rafael)
Purpose: To allow Santa Barbara, Marin, and Los Angeles counties to offer death benefits, optional retirement allowances, or survivor's allowances to the domestic partners of county employees and retirees.
Status: Signed by the governor.
LLP Position: Support.

AB 2862 (Carole Migden, D-San Francisco)
Purpose: To make technical, clarifying changes to current laws, as they relate to domestic partners and to wrongful, death, group health or disability insurance programs, and intestate succession.
Status: Vetoed by governor.
LLP Position: Support.

SB 1661 (Sheila Kuehl, D–Los Angeles)
Purpose: To provide workers compensation payments to workers who take family leave to care for seriously ill family members, including domestic partners.
Status: Signed by the governor.
LLP Position: Support.

SB 1945 (Sheila Kuehl, D–Los Angeles)
Purpose: To give victims of hate crimes more time to submit hate crimes complaints to the Department of Fair Employment and Housing.
Status: Signed by the governor.
LLP Position: Support.

SCA 9 (Jackie Speier, D of San Mateo)
Purpose: To end the practice of reassessing peoples' homes, and greatly increasing property taxes on a home owned by domestic partners (or other unmarried people who share a home), when one of them dies.
Status: Failed to pass.
LLP Position: Support.

People of Color Issues

AB 1749 (John Longville, D–San Bernardino)
Purpose: To require the governor to proclaim the third Saturday in June each year as "Juneteenth National Freedom Day: A Day of Observance" and to urge the people of California to join in celebrating this day to honor and reflect on the significant role that African Americans have played in the history of the United States and how they have enriched society through their steadfast commitment to promoting brotherhood and equality.
Status: Signed by the governor.
LLP Position: Support.

AB 1891 (Manny Diaz, D–San Jose)
Purpose: To require the Department of Housing and Community Development to establish a program to make matching grants, from money appropriated by the Legislature, to local agencies that have housing trust funds, to provide financing for affordable housing to be occupied primarily by very-low-income persons and families. The bill would become operative only if the Housing Bond Act of 2002, as proposed by Senate Bill 1227, is enacted by the voters.
Status: Signed by the governor.
LLP Position: Support.

AB 2165 (Virginia Strom Martin, D–Santa Rosa)
Purpose: To require the Joint Legislative Sunset Review Committee to review the state's shortage of pharmacists and make recommendations on a course of

Continued on page 8

ECCO is pleased to support the Lambda Letters Project.
ECCO is proud to be a part of the activist LGBT community. When we work together, we can accomplish anything.
The Elections Committee of the County of Orange (ECCO) is a non-partisan Lesbian, Gay, Bisexual, Transgender, HIV/AIDS, and Women's political action committee serving Orange County and Long Beach, California.
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Legislative Update

Continued from page 7

action to alleviate the shortage.
Status: Signed by the governor.
LLP Position: Support.

AB 2739 (Wilma Chan, D-Oakland)
Purpose: To require health services providers who contract with the State Department of Health Services and with Medi-Cal to take steps to provide culturally and linguistically appropriate services to their clients.
Status: Vetoed by the governor.
LLP Position: Support.

SB 1264 (Dede Alpert, D–San Diego)
Purpose: Existing law provides for the California Work Opportunity and Responsibility to Kids (CalWORKs) program, under which each county provides cash assistance and other benefits to qualified low-income families. Certain types of payments received by recipients of aid under the CalWORKs program are prohibited from being treated as income or resources of the family and from being deducted from the amount of aid to which the family would otherwise be entitled.
This bill says that any award or scholarship provided by a public or private entity to, or on behalf of, a dependent child based on the child's academic or extracurricular achievement or participation in a scholastic, educational, or extracurricular competition may not be treated as income or resources of the family for purposes of determining eligibility under the CalWORKs program.
Status: Signed by the governor.
LLP Position: Support.

Women's Issues

AB 1860 (Carole Migden, D–San Francisco)
Purpose: To provide a female victim of sexual assault with the option of postcoital contraception. Emergency contraception shall be dispensed upon the request of the victim.
Status: Signed by the governor.
LLP Position: Support.

AB 1909 (Rebecca Cohn, D–Campbell)
Purpose: To allow—subject to adequate, discretionary funding from a city or county—that the superior courts in San Diego County, in Santa Clara County, and in any other county willing to participate, develop a demonstration project to identify the best practices to follow in civil and criminal cases involving domestic violence. The bill would require superior courts participating in this demonstration project to report their findings and recommendations to the Judicial Council and the legislature.
Status: Signed by the governor.
LLP Position: Support.

AB 1928 (Hannah-Beth Jackson, D–Santa Barbara)
Purpose: To permit a person injured by a crime of violence motivated by gender to bring a civil action for damages against the responsible person(s).
Status: Signed by the governor.
LLP Position: Support.

AB 2030 (Jackie Goldberg, D–Los Angeles)
Purpose: To allow courts upon request to waive the fee for serving a protective order, restraining order, or injunction if that order or injunction is based upon specified acts or threats.
Status: Signed by the governor.
LLP Position: Support.

SB 564 (Jackie Speier, D–San Mateo)
Purpose: To require applicants for licensure as a psychologist; marriage, family, and child counselor; or social worker who began graduate study on or after January 1, 2004, to complete a minimum of 15 contact hours of course work in spousal or partner abuse assessment, detection, and intervention strategies. Those who were licensed earlier than that date would be required to take continuing education courses in the above subjects.
Status: Signed by the governor.
LLP Position: Support.

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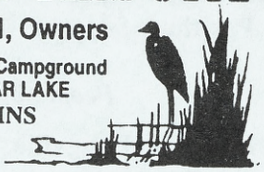

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SB 1301 (Sheila Kuehl, D–Los Angeles)
Purpose: Current law states that prior to the performance of an abortion, a medical committee must determine that continuation of the pregnancy would impair the physical or mental health of the mother, or that the pregnancy resulted from rape or incest. This law instead states that every person has the right to (a) choose or refuse birth control and (b) to choose to bear a child or obtain an abortion. The bill says the state shall not deny a woman's right to obtain an abortion unless the procedure is to be performed or assisted by one not properly licensed by the state or unless the attending physician thinks the baby could live outside the uterus *and* the doctor believes the abortion is not needed to protect the life and health of the mother.
Status: Signed by the governor.
LLP Position: Support.

SB 1320 (Sheila Kuehl, D–Los Angeles)
Purpose: To revise and strengthen the definition of the crime of stalking.
Status: Signed by the governor.
LLP Position: Support.

SB 1365 (Jackie Speier, D–San Mateo)
Purpose: Current law allows taxpayers, until January 2003, to include an extra payment with their state income tax return and to designate that extra money to be used to support breast cancer research. This bill would extend the program until January 2008.
Status: Signed by the governor.
LLP Position: Support.

SB 1399 (Gloria Romero, D–Los Angeles)
Purpose: To send people to jail for up to one year or fine them up to $2,000, or both, if they flee the state to avoid paying court-ordered spousal support.
Status: Signed by the governor.
LLP Position: Support.

SB 1618 (Sheila Kuehl, D–Los Angeles)
Purpose: To raise the marriage license application fee from $23 to $33. The $10 increase would fund domestic violence shelters, $4 of which would target the creation of domestic violence shelters in underserved areas and populations.
Status: Failed to pass.
LLP Position: Support.

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New Laws in 2003

Continued from page 1

Even so, dying without a will is always the least desirable alternative. People should always write a will. Domestic partners should also consult an attorney about holding their property in joint tenancy with right of survivorship. That may allow the surviving partner to avoid the lengthy probate process.

AB 2777 (Joe Nation, D–San Rafael) allows the counties of Los Angeles, Santa Barbara, and Marin to offer death benefits, optional retirement allowances, and survivors' allowances to the domestic partners of their employees. In order for the domestic partners of an employee to receive the benefits, an affidavit of domestic partnership must have been on file with the county for one year before the death of the employee. Each county's board of supervisors must pass resolutions before the benefits actually become available. However, all three counties have indicated that they want to do this.

Death benefits are like life insurance. If the county employee dies, his or her registered domestic partner would receive a flat amount from the county.

Optional retirement allowances allow employees to provide continuing income to their domestic partners if the employee retires but dies before his or her partner does. When a county employee retires he or she is usually eligible to receive a monthly retirement check for the rest of his or her life. Usually the payments end when the retiree dies. However, the employee could agree to take a smaller monthly retirement check (called an optional retirement allowance) with the promise that his or her spouse would continue to get that monthly check until the spouse dies. That continuing payment to the spouse is called a survivor's allowance. AB 2777 allows the three counties to offer that option to employees and their registered domestic partners. There may be other options that would vary the amount of monthly pay to the county retiree and his or her domestic partner.

By the way, Governor Davis signed a law last year providing the same benefits to the employees of San Mateo County. Employees of Los Angeles, Marin, San Mateo, and Santa Barbara counties should check with their employers for details on how to obtain these benefits.

SB 1661 (Sheila Kuehl, D–Los Angeles) allows people to take up to six weeks paid time off from work to care for seriously ill family members, including domestic partners, or to care for a newborn child. Employers could require that the employee take up to two weeks of accrued, but unused, vacation time before receiving the benefits provided by SB 1661. The employee must be in a domestic partnership registered with the state to qualify for payments, while caring for a domestic partner.

Most workers would receive about 55 percent of their usual pay during their time off. The maximum amount payable would be $728 per week. However, people may not start taking paid leave under the program until July 2004. The benefits will be provided by California's Disability Income Fund. This fund is supported by contributions from employers and their employees. However, this new benefit will be supported entirely by deductions from the paychecks of employees. The amount of the deduction varies depending on the income of the employee.

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The program will be administered by the California Employment Development Department. For further information, call them at (800) 480-3287 or visit their web site at *www.edd.ca.gov/fleclaimdi.htm*.

To receive the benefits available under AB 2216, AB 2777, and SB 1661 you must be registered as a domestic partner with the state of California. This requires that you complete form DP-1 and submit it to the Secretary of State's office along with a $10 registration fee. The address to which it must be sent is on the form. You can obtain a copy of the form at your County Registrar's office or by finding it on the web at *www.ss.ca.gov/business/sf/sf_formsfees.htm* and clicking on the Declaration of Domestic Partnership link. (The form is a 44K file in Adobe PDF format.)

SB 1945 (Sheila Kuehl, D–Los Angeles) gives the victims of hate crimes more time to submit complaints of hate crimes to the Department of Fair Employment and Housing (DFEH). Under the old law the complaint had to be submitted to the Department *within one year of the hate crime*. SB 1945 allows the victim to submit the complaint up to one year following the date *on which the victim finds out who committed the act*. However the complaint must be submitted no later than three years after the event occurred. When a complaint is submitted to the DFEH, it investigates the matter. If it finds the complaint to be valid, it attempts to resolve the situation by conference, conciliation, or persuasion. If the DFEH fails to resolve the complaint in these ways it can issue an accusation and also issue a right-to-sue letter.

The issuance of an accusation could ultimately lead to the DFEH seeking court action requiring the accused to comply with the law. The right-to-sue letter gives the complainant the right to sue the accused.

The complaint submitted to the DFEH must state the name and address of the person, employer, labor organization, or employment agency alleged to have committed the unlawful practice complained of, together with particulars of the violation. Obviously it takes time to get this type of information. The new, longer time limits provided by SB 1945 might facilitate the investigation. People who have been victims of hate crimes should report them to their local police or sheriff's department. However, they may also submit complaints to the Department of Fair Employment and Housing. To get an appointment with your nearest DFEH office, call (800) 884-1684.

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LGBT Issue

Continued from page 3

Latest figures from the official SDSU website show that blacks account for only 21 of SDSU's 831 full-time faculty—approximately 2.5 percent. This means there are proportionally fewer black faculty employed by San Diego State University than at higher ranked universities, including Ivy League schools. As a state institution, created to address the needs of an increasingly diverse public, SDSU cannot afford to lose a professor of Prof. Washington's cultural background and caliber—and neither can the students nor the community that SDSU professes to value. There is no question that Prof. Washington is qualified for a tenured faculty position at SDSU. The only thing questionable is the university's record of recruiting and retaining black faculty.

Please send your letter in support of Prof. Washington. ###

Women's Issue

Continued from page 4

Why? The administrative costs of the walk consume as much as 35 percent of the proceeds. Without community input into the distribution of funds, donation money leaves local communities and often is not returned through grants from Avon. This drains the resources of local breast cancer groups. Most of the money ends up at large national research centers that do little research on the environmental causes of breast cancer. Not coincidentally, links between chemicals and cancer is the most threatening to corporate business interests.

After much lobbying, Avon wisely decided to end its association with its administrative contractor, Pallotta Teamworks, a company whose administrative costs had already been seriously questioned in the AIDS community. Avon also shortened the walk to two days. This month, we ask you to send letters asking Avon to do more.

Thanks to Breast Cancer Action (bcaction.org) for additional research for this article.

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